

REMARKS**I. Status of the Claims:**

By this Amendment, claims 1-31 are now pending in this application. Claims 1, 13, 25-27 and 29 have been amended. Claim 31 has been added. Applicant believes that no new matter has been introduced by this Amendment. Accordingly, entry of this Amendment before examination on the merits is respectfully requested.

A Request for Continued Examination (RCE) and Petition for Extension of Time are submitted concurrently herewith.

II. Information Disclosure Statement:

Applicant respectfully requests consideration of the Information Disclosure Statement (IDS) and PTO-1449 with references cited thereon which were filed on March 23, 2004 and November 22, 2004 with the United States Patent and Trademark Office.

III. Rejection Under 35 U.S.C. §102 and 103:

Claims 1-6, 9, 13-17, 20, 21, 25 and 26 have been rejected under 35 U.S.C. §102(b) as being allegedly anticipated by the Applicant's admitted prior art (APA). Claims 27-30 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over the APA. Applicant requests that these rejections be withdrawn for at least the following reasons.

The claims have been amended so as to specify that the light emission operation is performed once each vertical scanning period. The operation is shown, *inter alia*, in Figs. 7 and 9. In comparison, the light-emitting operation of APA is shown in Figs. 8 and 10. From these figures, it is apparent that APA does not disclose the control device or an emitting step which

emits light once each vertical scanning period of the above amended claims of the present invention.

The light-emitting operation of the APA, as shown in Figs. 8 and 10, has several drawbacks. Such drawbacks are discussed in the Specification, for example, at page 7, line 4 to page 8, line 25.

In contrast, by emitting light once each vertical scanning period as described in the above amended claims of the present invention, stable AF evaluation values may be obtained in each vertical scanning period. This advantageously allows for precise AF control in real time. Furthermore, it is possible to effectively save electric energy consumed by the fill-in light emission unit as well as increase the life of the fill-in light emission unit. In addition, it is possible to cope with the image sensing operation with a high shutter speed.

Accordingly, Applicant asserts that claims 1, 13, 25-27, 29 and 31, as well as their dependent claims, are patentable over APA.

CONCLUSION

Applicant respectfully submits that all of the stated grounds of rejection have been properly traversed accommodated or rendered moot. Thus, Applicant believes that the present application is in condition for allowance, and as such, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections, and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 1232-4640.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 1232-4640.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: 4/13/2005

By: John A. Harroun
John A. Harroun
Registration No. 46,339
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053